

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

ALLAN DEMAURIA,

Plaintiff,

v.

RIO CONSUMNES CORRECTIONAL  
FACILITY,

Defendant.

No. 2:22-cv-0052 AC P

ORDER AND FINDINGS &  
RECOMMENDATIONS

By order filed October 11, 2023, the complaint was screened and found to not state a claim for relief. ECF No. 5. Plaintiff was given thirty days to file an amended complaint and cautioned that failure to do so would result in a recommendation that this action be dismissed. Id. at 6. Thirty days have now passed, and plaintiff has not filed an amended complaint. The court notes that the order directing plaintiff to amend the complaint was returned by the postal service, and the Contra Cost County Sheriff's Office has submitted a notice stating that plaintiff has been released from custody. ECF No. 7. It is the plaintiff's responsibility to keep the court apprised of his current address at all times, and pursuant to Local Rule 182(f), service of documents at the record address of the party is fully effective. Therefore, the order directing plaintiff to amend the complaint was properly served.

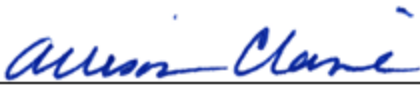
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1 Accordingly, IT IS HEREBY ORDERED that the Clerk of the Court shall randomly  
2 assign a United States District Judge to this action.

3 IT IS FURTHER RECOMMENDED that the complaint be dismissed for failure to state a  
4 claim for the reasons set forth in the October 11, 2023 Screening Order (ECF No. 5). See L.R.  
5 110; Fed. R. Civ. P. 41(b); 28 U.S.C. § 1915A.

6 These findings and recommendations are submitted to the United States District Judge  
7 assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days  
8 after being served with these findings and recommendations, plaintiff may file written objections  
9 with the court and serve a copy on all parties. Such a document should be captioned “Objections  
10 to Magistrate Judge’s Findings and Recommendations.” Plaintiff is advised that failure to file  
11 objections within the specified time may waive the right to appeal the District Court’s order.  
12 Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

13 DATED: November 20, 2023

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15 ALLISON CLAIRE  
16 UNITED STATES MAGISTRATE JUDGE  
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